

REGULAR MEETING AGENDA

Wednesday, January 14, 2015 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

OPENING

Requests to the ZBA involve important legal property rights. The proposal may expand one owner's limitations and reduce another's protections as defined within the Zoning Regulations. Therefore, any information considered must be clearly provided and all hearing comments are recorded. **Please speak only into the microphones near the podium. In order to avoid unnecessary distractions, please silence all electronic/communication devices and avoid side conversations** within the meeting room and hallway near the door.

The ZBA will make every reasonable effort to complete this agenda in a timely manner. However, complications may arise and it may be difficult to properly consider all of the requests tonight. You can be helpful by making your presentation efficiently. Due to necessary scheduling of ZBA members, and possible involvement with other Board/Commission review, the following items may be considered out of sequence. Application requests may be heard and then deliberated one by one rather than all the deliberations occurring at the end of the meeting. Please understand that one or more hearing items may need to be opened and continued to a subsequent meeting and some hearings may be completed tonight but ZBA deliberation of the requests may be postponed to a later date. After the hearing of the project you are interested in is concluded, you may choose to make subsequent inquiries about a possible decision to ZBA office staff at 203-656-7351 during regular business hours.

PUBLIC HEARINGS

CALENDAR NO. 38-2014

WITHDRAWN

The application of Eileen & John Raleigh regarding the property of Douglas & Cameron Sokolik submitted on August 13, 2014 for an appeal under Section 1122, of the Darien

Zoning Regulations, of the decision of the Zoning Enforcement Officer to sign a Zoning Permit for the construction of additions at 10 Hillcrest Avenue. The property is situated on the west side of Hillcrest Avenue approximately 800 feet north of its intersection with Middlesex Road and is shown on Assessor's Map #27 as Lot #38, being 10 Hillcrest Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 01-2015 **TO BE OPENED AND CONTINUED TO FEBRUARY 11**

The application of Kathleen Willcox submitted on December 5, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of second story dormers and a deck for additional living/studio/office space in a non-conforming garage structure; Section 406: enlargements of a structure 8.4 in lieu of 10.0 feet minimum required northeast side yard setback. The property is situated on the southeast side of West Avenue approximately 450 feet southwest of the intersection of Stony Brook Road and is shown on Assessor's Map #39 as Lot #93, being 117 West Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 02-2015

The application of Beth Harrington-Howes and Beth Harrington-Howes LLC on behalf of Dana McBride, owner, and William & Susannah Lewis, contract purchaser, submitted on December 16, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of porch and second story additions; Section 406: 31.4 in lieu of 40.0 feet minimum required Great Hill Road front yard setback. The property is located on northeast corner of the intersection formed by Great Hill Road and Tokeneke Road and is shown on Assessor's Map #36 as Lot #15, being 1 Great Hill Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 03-2015

The application of David Lasnick on behalf of Ashish & Neha Shah submitted on December 16, 2014 for a variance of Section 383 of the Darien Zoning Regulations; to allow the construction of additional living space in the basement of a non-conforming two-family house; Section 383a: to allow a non-conforming use to be enlarged and/or extended. The property is located on the north side of West Avenue opposite the intersection with Patton Drive and is shown on Assessor's Map #23 as Lot #72, being 322 West Avenue and located in an R-1/5 (residential) Zone.

CALENDAR NO. 04-2015

The application of Shaikh & Kishwar Maqsood submitted on December 17, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of second story and two-story additions; Section 406: 13.1 in lieu of 17.9 feet minimum required north side yard setback. The property is situated on the east side of Brookside Drive approximately 300 feet north of the Interstate 95 overpass and is shown on Assessor's Map #47 as Lot #9, being 51 Brookside Drive and located in the R-1/5 (residential) Zone.

CALENDAR NO. 05-2015

POSTPONED TO FEBRUARY 11

The application of Douglas McKay on behalf of 537 Post Road LLC submitted on December 17, 2014 for a variance of Section 406 of the Darien Zoning Regulations; to allow the construction of a dance/exercise studio within an existing barn structure located in a Residential Zone; Section 406: dance/exercise studio use where none is permitted. The barn is located to the rear of the property situated on the north side of the Boston Post Road approximately 530 feet east of the intersection with Brookside Road and is shown on Assessor's Map #14 as Lot #36, being 537 Boston Post Road and located in an DB-2 (commercial) Zone and R-1/2 (residential) Zone.

DELIBERATIONS AND DECISIONS

Discussion, deliberation and possible decisions for Public Hearing request items listed above. Four affirmative votes out of the five seated ZBA members are required to approve a proposal. Decisions are made after the ZBA members review the public hearing comments, submitted plans and other application materials, and carefully consider possible stipulations to ensure the best possible project fit among the neighboring properties. If complications arise ZBA deliberation of the requests may be postponed or continued to a later meeting date.

OTHER BUSINESS

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their regulatory responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Requested two month extension, received December 26, 2014, to obtain all required permits and begin on-site construction for ZBA Calendar No. 30-2014, David &

Albertine Madon, 15 Shennamere Road. The Public Hearing of this matter was July 16, 2014. Initial ZBA approval expires on January 25, 2015.

2. Approval of Minutes of meeting on November 12, 2014. ZBA members attending this meeting were Vic Capellupo, Jeff Williams, Mike Nedder, Rich Wood, and Kevin Fullington.
3. Discussion and possible appointment of a subcommittee to work with a Planning and Zoning Commission subcommittee on recommended Zoning Regulation changes.
4. General discussion of Application Materials, applicant identity, application review procedures, hearing guidelines, hardship criteria, decision practices/guidelines/staff questions, project fit relative to neighbor properties, supervision/inspection of construction projects, and/or requested changes.
5. Any other business (a minimum 2/3, 67%, i.e. 3/4, 4/5, or 4/6, favorable vote of members present and voting is required to add an item to the agenda).